THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.21772 OF 1997

DATED: 09-04-2007

Between :

Nelavelli Venkayamma ..... Petitioner

And

1. The District Collector, Krishna,
   Machilipatnam, Krishna District.,
   And 3 others. ... Respondents

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION NO.21772 OF 1997

ORDER :

This writ petition is filed seeking a Writ of Mandamus declaring the alleged action of the respondents in not paying the compensation to the land of the petitioner to an extent of 56 cents situated in RS.No.98/1/A1 of Muppalla Village, Chandarlapadu Mandal, Krishna District as arbitrary and illegal.

In the affidavit filed in support of the writ petition, it is pleaded that the said land was taken away by the respondents during the year 1963-64 for formation of Nadigama to Pokkunuru road without following the procedure established by law and the petitioner was not paid any compensation. Contending that the said action of the respondents is arbitrary and illegal, this writ petition was filed in the year 1997.

Though no counter-affidavit is filed, it is represented by the learned Government Pleader under instructions that no cases are pending relating to the acquisition of land in RS.No.98/1 for formation of road from Nadigama to Pokkunuru Village.

In the light of the stand taken by the respondents and in the absence of any other material to substantiate the petitioner's claim, the Writ of Mandamus as prayed for cannot be granted. However, this shall not preclude the petitioner to invoke the common law remedy, if so advised for redressal of her grievance.

Accordingly, the Writ Petition is disposed of granting liberty to the petitioner to work out the appropriate common law remedy if so

advised for redressal of her grievance. No costs.

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G. ROHINI, J.

Dt. 09-04-2007

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